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June 27, 2008

VIA FACSIMILE
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Hon. Loretta A. Preska
United States District Court
500 Pearl Street
Room 1320
New York, New York 10007

Re: John Cerasuolo Co., Inc. v. Pio Enterprises, Inc.; Index No. 08cv5334

Honorable Madam:

We are the attorneys for plaintiff in the above-referenced matter. Plaintiff's order to show cause, originally returnable on June 17, 2008, was adjourned on consent of all parties to July 1, 2008. The additional time gave the parties an opportunity to exchange documents and determine whether this matter could be resolved without further judicial intervention. Based on a review of those documents, it appears that this case may be ripe for a PACA claims procedure that will streamline the litigation substantially. Therefore, the parties jointly and respectfully request an additional adjournment until July 16, 2008 at 9:30 A.M. so that the necessary motion papers can be prepared. (1)

The parties have agreed that the temporary restraining order, entered by your Honor on June 11, 2008, and modified by the endorsed letter dated June 17, 2008 (Docket Entry 11), shall remain in full force and effect until this matter can be heard by the Court. (2)

This is the parties' second request for an adjournment, the first request having been granted as set forth above.

June 29, 2008

SO ORDERED

Loretta A. Preska
LORETTA A. PRESKA
UNITED STATES DISTRICT JUDGE

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Thank you for your attention to this matter.

Respectfully yours,
Law Offices of Bruce Levinson

By: 

Gregory Brown

cc.: Leonard Kreinces, Esq. (via fax: 516-227-6594)
Paul Gentile, Esq. (via fax: 212- 619-3626)
Louis W. Diess, III, Esq. (via fax: 202-364-2731)

SO ORDERED this ____ day of June, 2008.

Hon. Loretta A. Preska
U.S. District Court Judge